

REMARKS

The present amendment is in response to the Office action dated January 3, 2007, where the Examiner has rejected claims 1-24 and 26-28, and objected to claim 25. By the present amendment, claims 1, 7, 10 and 28 have been amended. Accordingly, claims 1-28 remain in the present application. Allowance of remaining claims 1-28, in view of the amendments and the following remarks, is respectfully requested.

A. Corrections to the Specification

The specification has been amended to correct typographical errors and to conform with the drawings. Specifically, on page 9, line 4, the diode reference number "216" has been corrected as --218--. This change is made because reference number "216" is already assigned to resistor "216". No new matter has been added.

B. Corrections to the Drawings

The drawings have been amended to correct typographical errors and to conform with the specification. Specifically, in Figure 2A, the diode "216" has been corrected as --218--. This change is made because reference number "216" is already used by resistor "216".

Also, in Figure 2B, "Controller Unit 130" has been corrected as --Logic Unit 130-- to conform with the specification (see, page 10, line 12). No new matter has been added.

In addition, formal drawings of Figures 1, 2A, 2B and 3 are submitted herein as part of Appendix B.

C. Claim Rejections - 35 USC §102

The Examiner has rejected claims 1-2, 5-10, 13, 16-20, 23-24, and 26-28 under 35 USC §102(b) as being anticipated by Tuoriniemi et al., US Pat. No. 5,978,689 (Tuoriniemi). In response, Applicant has amended the independent claims 1, 10 and 28 to further recite that the claimed system and method provides for a test circuit that can be inserted at an audio interface port to determine, a priori, the type of headset plugged into the port. In particular, the currently amended claims indicate that the test voltage is a discrete voltage, different from the ongoing signaling over the port.

Applicant respectfully submits that Tuoriniemi fails to disclose or otherwise teach all the limitations of the amended independent claims. For example, the presently amended independent claims include a "test voltage" that is "supplied" to conduct the test, and then "removed" to permit audio signaling to take place. In contrast, Tuoriniemi describes a technique for measuring ongoing signaling from a headset. In particular, the "off-hook detect circuit 42" clearly indicates that it is not powered by a "test voltage" but rather by both the audio line 54 and microphone power (V_{mic}). (See e.g., Tuoriniemi: Fig. 2). Since Tuoriniemi relies on the ongoing signaling to operate and fails to disclose

any alternate embodiment wherein a separate voltage could be switched on an off, the invention of Tuoriniemi is not capable of supplying and removing a "test voltage", as distinguished from ongoing audio signaling. Accordingly, Applicant respectfully asserts that the independent claims and the claims dependent thereupon, are now patentable over Tuoriniemi.

The Examiner has rejected claims 1-24, and 26-28 under 35 USC §102(e) as being anticipated by Adams, US Pat. No. 6,594,366 (Adams). In response, Applicant has amended the independent claims 1, 10 and 28 to further recite that the claimed system and method provides for a test circuit that can be inserted at an audio interface port to determine, a priori, the type of headset plugged into the port. In particular, the currently amended claims indicate that the test voltage is a discrete voltage, different from the ongoing signaling over the port.

Applicant respectfully submits that Adams fails to disclose or otherwise teach all the limitations of the amended independent claims. As stated above, the presently amended independent claims include a "test voltage" that is "supplied" to conduct the test, and then "removed" to permit audio signaling to take place. In contrast Adams, like Tuoriniemi, describes a technique for measuring ongoing signaling from a headset. In particular, the "Plug Sensing Circuit 201" indicates that it is not powered by a "test voltage" but rather by both the audio line, of either the Radio Unit/Controller 202 or the Telephone Unit/Controller 200, and Microphone Output Switch 262. (See e.g., Adams: Fig. 2). This can be seen more clearly as the same audio and microphone lines pass directly through the sensor 210. (See e.g., Adams: Fig. 3). Since Adams relies on the

ongoing signaling to operate and fails to disclose any alternate embodiment wherein a separate voltage could be switched on an off, the invention of Adams is not capable of supplying and removing a "test voltage", as distinguished from ongoing audio signaling. Accordingly, Applicant respectfully asserts that the independent claims and the claims dependent thereupon, are now patentable over Adams. Since neither Tuoriniemi nor Adams disclose all the limitations of currently amended independent claims 1, 10 and 28, Applicant respectfully submits that claims 1-24 and 26-8 should now be allowed.

D. Allowable Subject Matter

On page 18 of the Office action in the Allowable Subject Matter section, the Examiner states that claim 25 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant appreciates the Examiner's statement of allowance regarding the subject-matter of claim 25.

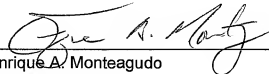
As discussed above, Tuoriniemi and Adams, do not disclose the subject-matter of claim 10. Accordingly, the subject-matter of claim 25, depending from claim 10 is not disclosed by Tuoriniemi and Adams. Therefore, Applicant respectfully submits that claim 25 is in a condition for allowance.

E. Conclusion

For all the foregoing reasons, a Notice of Allowance directed to claims 1-28 remaining in the present application is respectfully requested. No fee is believed due for submission of the present communication. However, If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Respectfully submitted,

Dated: 3/15/2007

By: 
Enrique A. Monteagudo
Reg. No.: 58,215

Enrique A. Monteagudo
KYOCERA WIRELESS CORP.
P.O. Box 928289
San Diego, California 92192-8289
Direct Dial: (858) 882-2657
Direct Fax: (858) 882-2485

APPENDIX A

(MARKED-UP DRAWING)

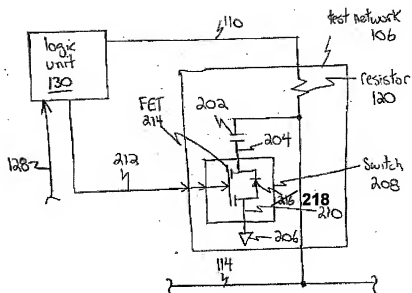


Fig. 2A

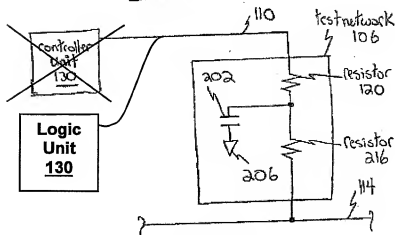


Fig. 2B

APPENDIX B

(REPLACEMENT SHEETS)